

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Tuesday, May 17, 2022

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted in the City Building, 220 North Hastings Avenue, on May 17, 2022.

The meeting was called to order at 4:00 p.m. in Regular Session by Chair Sinner with the following members present: Brian Hoffman, LaDaun Schoenhals, Lou Kully, Greg Sinner, Ann Hinton, Shawn Rossi, Rakesh Srivastava, Jacque Cranson.
Absent: Michelle Lewis.

The chair led the Commission in recital of the Pledge of Allegiance to the United States of America.

4. Motion to adopt the current agenda for the Planning Commission Meeting

Moved by Jacque Cranson, seconded by Ann Hinton, to adopt the current agenda for the Planning Commission meeting.

Roll call: Ayes: Brian Hoffman, LaDaun Schoenhals, Lou Kully, Greg Sinner, Ann Hinton, Shawn Rossi, Rakesh Srivastava, Jacque Cranson.

Nays: None

Absent: Michelle Lewis.

5. Public Notice - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, May 6, 2022. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is located at the back of the Council Chambers. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.

6. Approval of Minutes

a. Meeting of April 19, 2022

Moved by Ann Hinton, seconded by Rakesh Srivastava, to approve the April 19, 2022 minutes.

Roll call: Ayes: Brian Hoffman, LaDaun Schoenhals, Lou Kully, Greg Sinner, Ann Hinton, Shawn Rossi, Rakesh Srivastava, Jacque Cranson.

Nays: None

Absent: Michelle Lewis.

7. Special Order of Business

a. Informative presentation on building safety and an explanation of future process changes to include Delegated Authority.

Anthony Murphy, Lisa Parnell-Rowe, Bill Money, and Kevin Kubo spoke on the agenda item.

May has been designated as Building Safety month in a Proclamation that was signed on May 9, 2022 by Mayor Stutte. This year the City would like to actively promote and speak to the importance of building safety in light of many recent events in our community. Many structures within the City of Hastings are aging. There are over 1400 residential structures in poor condition according to the Housing Study. It's important for both residences and businesses to understand and be able to identify hazards before it creates a tragedy.

In keeping with department mission "to protect life, property, and environment through...inspection and education programs", Hastings Fire & Rescue (HFR) desires a delegation of authority from the Nebraska State Fire Marshal's Office. This delegation will allow HFR to provide a higher level of services by streamlining the development and fire code inspection processes in our community. Additionally, our core value of duty requires that we be proactive and responsive to the needs of contractors, license holders, and business owners in the community. Working closely with Development Services, we've already begun to modify workflows and our permitting process in efforts to be more of a one-stop-shop for contractors and developers with improved turnaround times. To enhance these efforts, we are proposing code change that will be brought before Planning Commission in the near future and then taken before the City Council for approval. In general, these code changes are:

- modifications to our municipal code that allow for increased transparency and safety
- fee schedule changes to more closely align with comparable cities and provide cost recovery for services
- increasing staffing for fire prevention to account for the increased workload that delegated authority and the associated responsibilities of inspection bring

Our presentation will provide you background on what delegated authority is; how it changes the permitting process; and what will need to occur to make it happen. We will also be providing this presentation to several other groups and also be holding a Town Hall Meeting that will be open to the public at the Library on May 24th at 5:30 PM.

Brian Hoffman: Right now, you are doing about two inspections per week. How many would you be doing with these changes?

Anthony Murphy: I would like to see us closer to the national standard. I would like to see inspections every one to three years. Right now, we have schools that haven't been inspected in 6, 12 or 20 years, depending on the school, and I don't feel comfortable with that. The argument is, isn't the state doing that? The state is stretched so thin, you ask any of the state inspectors, they will tell you there are schools that they've never been to and they've been in that career 25 to 30 years. We are a ways from where I would like to see us and I would appreciate any feedback. We are also looking at grants to improve our staffing levels and it is currently a manpower thing and we are looking into that to improve our service to the community. I also don't like being reactive, I would rather be proactive in preventing that risk to the community.

Greg Sinner: You showed the plume map of hazardous material. A lot of us who have been in the community for quite some time may know this happened a long time ago in the industrial age with a lot of the factories that came up. Unfortunately, there were not a lot of regulations back then for inspectors to be able to enforce what few were there. So that's why the map is so ugly. We do not want to add to that and we do not want that to happen again in our community.

Also, I would like to point out to fellow commissioners that you showed storage units in the presentation. We do have a lot of conditions that come through. Whether we read them or not, staff does a great job of reviewing all of the codes and sticking those recommendations on

there. It's our job as well as the council as we push it up to them to review those. If we don't like them, or we want to add something, we need to speak up at that time, because that stuff does happen. You may still have individuals who continue to do that, and I guess that's the Fire Marshal's job to find that out.

Anthony Murphy: My belief is trust but verify. We'll issue the permit, but we will also follow up with those that don't hold the affect that we appreciate they would.

Greg Sinner: What I'm hearing, a service the city would provide is like a potential investor who is looking at buying a building for specific use and it was a shoe store and he's thinking about putting in a restaurant, he could call City Hall and he could get the appropriate people put together and do a walkthrough and make suggestions as to what would be required. So the individual would know from the get-go what that requirement would be. This is something the city would do for a potential investor not knowing what the building is and what it's going to be, because it all equates to dollars. We have a hard time getting people to come and invest in our community and I feel we need to do everything we can.

Lisa Parnell-Rowe: A lot of people don't understand that with occupancy changes, there are building code changes involved in that. They understand it's a storefront, I can move into it, and don't understand the change in occupancy, and that they are required to let us know. It can also sometimes save them money.

Anthony Murphy: I would rather we do that ahead of time and spend as much time as we need to provide the full, clear picture rather than coming in later in the project. I'd much rather be more of a resource to provide information. We can also help them be aware of any grants, tax or economic incentives that might help with sprinkling or fire alarms.

Brian Hoffman: When we approach this Delegated Authority process, you talked about how the inspections are at three and seven percent. By giving that authority over to you, or our city delegates inspectors, that's an added responsibility onto your group. Getting those inspections in might be needed. Is there a plan of action to address that?

Anthony Murphy: The State is already doing a plan review process that would simply be me currently looking at both sets of codes and giving one final answer to the person asking the question. In that respect, we're already doing the plan review, we're already doing the inspection anyway, it's just the developer or the owner that's getting doubled up on. In that respect there's not a huge increased workload. Where the workload increase does come from is the daycares- every daycare gets an inspection every other year, any new liquor license, any assisted living facilities, the hospital, healthcare, all those become an added workload. Primarily, this has come about as a request from the community to the department and we wanted to figure out how we can meet that need. What we're looking at is Chapter 13 code changes. Right now, we are not recouping all those costs so come budget time we want to alter these reviews, inspections, all those similar things we are not asking for anything to cover those costs right now. We would like to start doing that. Minimum would be \$15.00 for the fire code review fee. This process adds efficiency, and this with other fees would allow me to get another person in the office to help with that workload.

Brian Hoffman: From speaking to others that I know, it's been a hassle with the state process. It would be good to see a fee structure and how that would work when we apply for the Delegated Authority, because we have small businesses that are going in and an occupancy fee. Some of them are scrounging for funding. It is a bit of a concern for small businesses, that fee and the fee structure.

Greg Sinner: Will there still be a city-maintained appeals board?

Anthony Murphy: Yes. The intent is to have the appeals at the local level.

Greg Sinner: My question is on the chief's consent for the Knox box. I take it that's to give the chief main control over the key box and those who have the key.

Anthony Murphy: Correct. If you have a locked box, the fire department has a key to get into those with a pin number. Each unit has a unique pin number so we can track who took the key out, when it was, and have accountability in that way.

Greg Sinner: Commissioners can reach out to you in the next few weeks if there are any questions?

Anthony Murphy: Absolutely.

Lisa: On May 24, which is next Tuesday, we are giving the same presentation at the Hastings Public Library at 5:30 p.m. and it is open to the public. We've also invited developers and as many businesses as we can. You will see this code change as an item on the agenda next month to recommend approval to City Council.

Anthony Murphy: That's on code changes, not necessarily Delegated Authority.

Lisa Parnell-Rowe: The documentation that gets us Delegated Authority is separate from the code changes. The code changes just drive the fee schedule that allows us to implement it. Whether or not we implement those fees, they would be in with the budget when implementation comes about.

Brain Hoffman: When would Delegated Authority be put in place?

Lisa Parnell-Rowe: The state may say we have to put Delegated Authority in place anyway, in the near future, so it may be put in place quickly.

Anthony Murphy: Once we are confident in our ability to provide adequate staffing, we would request it. Last time I went through the process it was several months but I don't see that being an issue since they have all of my information and documentation.

LaDaun Schoenhals: Will we have the fee schedule in our packets next month?

Anthony Murphy: My original intent on that was waiting until budget year but I can share that.

Greg Sinner: So we will see the code changes at the meeting next month?

Lisa Parnell-Rowe: The fee schedule internally is due to Roger Nash at the end of May or mid-June, so we will need to have a draft anyway. We can give you a draft, just know it's not approved, just recommended.

Greg Sinner: Will the same group of individuals be back in front of us next month for questions?

Lisa Parnell-Rowe: Yes, we can have the same group here available for questions.

- a. Continued Applications - None
- b. Tabled Applications - None
- c. Postponed Applications - None

9. Public Hearings.

10. Subdivisions

11. Reports

- a. Committee Reports

- b. Chairman Comments

It's on my agenda in the coming month to discuss the Bus Tour so we can talk more about it at the next Planning Commission meeting.

- c. Staff Reports

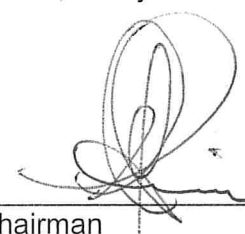
Lisa: For the Transportation and Parking Plan, we have set a date: June 9 at 6:00 p.m. We will send out that information. There will also be a flyer and press release as well. We will have the consultant from Kimley-Horn come up and he will talk from an informational perspective. We will follow with approval from City Council. The event will be in the Hastings Auditorium.

The Comprehensive Plan kickoff will be in August during Kool Aid days.

We are looking at June, possibly, and working with the schools to see when the best date for the Bus Tour would be. We can take the Building Official and the Fire Marshall with us and give feedback on things we are hoping to do around the city.

Adjourn

Moved by LaDaun Schoenhals, seconded by Brian Hoffman, to adjourn the meeting.


Chairman

